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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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Paper No. 13

**MAIL**

NOV 05 2002

DIRECTOR OFFICE  
TECHNOLOGY CENTER 2600

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In re Application of	:
Nancy E. Miller, et al.	:
Application No. 09/408,716	:
Filed: September 30, 1999	:
Attorney Docket No. 01413.0011-0	:
For: METHODS AND APPARATUS FOR	:
DISPLAYING DISPARATE TYPES OF	:
INFORMATION USING AN INTERACTIVE	:
SURFACE MAP	:

This is a decision on the petition filed on September 5, 2002, requesting that the shortened statutory period for reply set forth in the Office communication mailed on August 5, 2002 be restarted in view of an alleged defect in the Office Action.

Petitioner alleges that an Information Disclosure Statement (IDS) filed on April 17, 2002 included 114 documents and that the Office action mailed on August 5, 2002 is defective inasmuch as it failed to consider all of those documents. The petition is being treated as a request for consideration of the prior art submitted on April 17, 2002 and as a request for re-mailing of a new Office action.

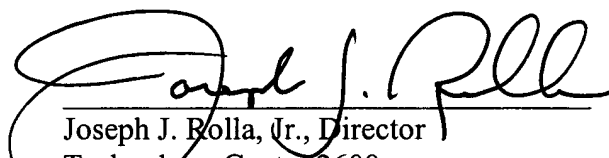
The prior art submitted on April 17, 2002 was located and has been considered by the examiner as shown by the attached copy of the supplemental copy of an initialed and dated copy of the PTO-1499. Therefore, the request for consideration of the prior art submitted on April 17, 2002 is **GRANTED**.

However, the consideration of the prior art does not warrant any changes to the outstanding Office action. The outstanding Office Action is not defective within the meaning of MPEP § 710.06. Therefore, the request for re-mailing of a new Office action is **DENIED**.

The petition is **GRANTED-IN-PART** and **DENIED-IN-PART** for the reasons set forth above.

In view of this decision, the Third Supplemental IDS filed October 10, 2002 fails to comply with the requirements set forth in 37 CFR 1.97(d) inasmuch as it was filed after Final Rejection and lacks the necessary statement as specified in 37 CFR 1.97(e). *This statement should be filed within **THIRTY (30) DAYS** of the mailing of this decision.* At such time that the necessary statement is filed, the IDS filed on October 10, 2002 will be forwarded to the examiner for appropriate consideration.

It should be noted that the period for response to the Final rejection continues to run from the August 5, 2002 date of mailing. The application is being returned to TC 2600 Central Files to await applicant's response.



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Joseph J. Rolla, Jr., Director  
Technology Center 2600  
Communications